The LaJoie patent describes a plurality of look-up tables, shown in FIG. 5, that are used by a set-top terminal 6 to determine the service associated with a respective channel. A channel table 101 shows how each channel is associated with a specific service type 111 using a pointer from a location on the channel table that corresponds to a particular channel to a location on a service table 103 that corresponds to a respective service type. The source of the service is then determined by the table 103 through another pointer from a reference location 123 on the table 103 that corresponds to the particular service type to a location on one of parameter tables 105, 109, 127, 129 and 131. Descriptive information 125 is also stored in the service table 103 for each service type 111. When a channel is associated with different services during different time intervals, the pointer from location 123 points to a split parameter table 107 which identifies the service associated with each time interval. (See col. 16, lines 10-63). LaJoie does not, however, suggest *forming a bit stream* that includes any of the tables 101, 103, 105, 107, 109, 127, 129 or 131, nor does LaJoie suggest transmitting such a bit stream. LaJoie is not at all concerned with how the tables are delivered to the set-top box 6.

Moreover, though LaJoie describes that *programs and services* are supplied to a cable headend through analog and digital satellite broadcasts and sent to the set-top box (see col. 2, lines 52-55 and col. 4, lines 36-38), the reference does not suggest that *tables* are transmitted in this manner. Rather, LaJoie only describes that as new services become available, reserved spaces or spaces *within* the service table 103 are assigned to the new service. (See col. 17, lines 23-29).

The Hendricks patent does not remedy the deficiencies of LaJoie. Hendricks describes programming information that can be sent to set-top terminals 220 using information shown in

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various tables. Table A shows basic programming information that includes, for each half-hour time interval, the program name, program length and coded descriptions. Table B shows an event table that contains information about events and their pricing and includes the start time and end time of the event. (See col. 18, line 61 to col. 20, line 45). Hendricks does not suggest that any of these tables includes *at least one index* which identifies *a location of a message* within another table.

Neither LaJoie nor Hendricks suggests:

> generating at least one further data table
> that includes at least one index which
> identifies a location of said message within
> said first data table

as called for in claim 13.

Though the Examiner acknowledges that LaJoie does not disclose transmitting two bit streams as defined in claim 13, the Examiner nevertheless contends that Hendricks does. Hendricks shows two data streams in Table C that correspond to two events. The fields in the data streams identify the event type, the event ID, the global channel ID, the cost of the event, the start and end times of the event, the start and end dates of the event, the graphics file, and the name and description of the event. The patent does not suggest a bit stream that includes at least one index which identifies a location of a message within a data table.

It follows that neither LaJoie nor Hendricks suggests:

> transmitting said first bit stream and
> said second bit stream

as defined in claim 13.

Therefore, neither LaJoie, Hendricks, nor their combination suggests or contemplates the method set out in claim 13, and claim 13 is patentably distinct and unobvious over the references.

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Claims 14-24 depend from claim 13 and each further defines and limits the invention recited in the independent claim. It follows that each of claims 14-24 likewise defines a combination that is patentably distinguishable over the cited patents.

Additionally, regarding claim 19, the Examiner incorrectly asserts that "LaJoie inherently places a location in the data table which specifies the source of the [urgent] message as LaJoie must have a location to read such a message from." However, LaJoie shows, in FIG. 5, parameter tables 105, 107, 109, 127, 129 and 131 that show the source of a *channel's service*, rather than the source of *an urgent message*. Moreover, though LaJoie illustrates in FIG. 35 an emergency broadcast message 642, the patent does not suggest that the emergency broadcast message is included in a data table. In fact, LaJoie does not provide any suggestion as to the format in which the emergency broadcast messages are sent. (See col.33, lines 31-61). The reference thus does not suggest a further data table that includes at least one urgent message.

Independent claim 25 calls for an apparatus for transmitting information in a manner similar to the method recited in claim 14. It follows that claim 25 is distinguishable over the LaJoie and Hendricks references at least for the same reasons.

Claims 26-36 depend from claim 25 and are similarly distinguishable over the references.

Additionally, claim 31 includes limitations similar to those set out in claim 19 and is likewise further distinguishable over the cited art.

Independent claim 37 defines a readable medium recorded with instructions for transmitting information in a manner similar to that set out in claim 14 and is likewise distinguishable over LaJoie and Hendricks.

Regarding independent claim 38, the Examiner acknowledges "La Joie does not disclose transmitting two bit streams, each of which contains its own table data *(sic)*." Hence, LaJoie cannot suggest forming a data table from such a bit stream or suggest that such a data table includes an index which identifies a location of a message within another data table formed from another bit stream.

Also, as noted above, Hendricks does not suggest an index which identifies a location of a message within another bit stream.

Therefore, neither LaJoie nor Hendricks suggest:

forming, from said second bit stream, at least one further data table that includes at least one index which identifies a location of said message within said first data table

as recited in claim 38.

Moreover, because neither LaJoie nor Hendricks suggests an index formed from a bit stream which identifies a location of a message within a data table formed from another bit stream, neither reference suggests locating and reading such a message using such an index. Neither LaJoie nor Hendricks suggests:

locating and reading said message in said first data table using said index stored in said further data table

as defined in claim 38.

Claims 39 and 40 depend from claim 38, and each includes the limitations set forth in the independent claim as well as additional limitations. It follows that each of claims 39 and 40 likewise defines a combination that is patentably distinguishable over the references.

Additionally, claim 40 recites that "said further data table includes an urgent message" and is further distinguishable

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over LaJoie and Hendricks for the reasons set out above regarding claim 19.

Independent claim 41 calls for an apparatus for receiving transmitted information that carries out the steps defined in claim 38. It follows that claim 41 is distinguishable over LaJoie and Hendricks at least for the same reasons.

Claims 42 and 43 depend from claim 41 and are similarly distinguishable over the references. Moreover, claim 43 includes limitations similar to those set out in claim 40 and is likewise distinguishable over the cited art.

Independent claim 44 defines a readable medium recorded with instructions for receiving transmitted information in accordance with the steps recited in claim 38 and is similarly distinguishable over LaJoie and Hendricks.

Independent claim 45 includes limitations similar to those set out in claims 13 and 38, independent claim 46 includes limitations similar to those set out in claims 25 and 41, and independent claim 47 includes limitations similar to those set out in claims 37 and 44, and each is distinguishable over LaJoie and Hendricks for at least the same reasons.

Accordingly, the withdrawal of the rejection of claims 13-47 under 35 U.S.C. § 103 is respectfully requested.

As it is believed that all of the rejections set forth in the Official Action have been fully met, favorable reconsideration and allowance are earnestly solicited.

If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that the Examiner telephone applicant's attorney at (908) 654-5000 in order to overcome any additional objections which the Examiner might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.


Dated: January 22, 2003                    Respectfully submitted,

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